

Application No. 10/650,450
Reply to Office Action dated November 17, 2005

Amendments to the Drawings:

The attached sheets of drawings include changes to Figures 7 and 11. These sheets, which include Figs. 1-11, replace the original sheets including Figs. 1-11.

Attachment: Replacement Sheets

REMARKS

This amendment is being filed in response to the Office Action having a mailing date of November 17, 2005. Claim 3 is rewritten in independent form and claims 5, 9, 11, 21, 24, 27, 30-31, and 33-37 are amended as shown. Claims 1-2 and 22-23 are canceled herein without prejudice. New claims 39-41 are added. No new matter has been added. With this amendment, claims 3-21 and 24-41 remain pending in the application.

I. Restriction Requirement and Election of Claims

In the Office Action, the Examiner agreed with the applicants' prior argument that claims 1, 24, and 34 are generic, for which the applicants thank the Examiner. Dependent claim 3 has been rewritten in independent form to include the recitations of its base claims 1 and 2, and independent claims 24 and 34 are amended to include allowable subject matter along the lines of those recited in claim 3. Furthermore, dependent claim 5 is amended to change its dependency to newly independent claim 3. The details of these claim amendments will be discussed later below.

The applicants note that generic nature of claims 3, 24, and 34 is not changed due to these amendments and that these claims are now allowable. Accordingly, the applicants request the rejoicing (and allowance) of withdrawn claims 6-21 (which depend directly or indirectly on newly independent claim 3 and claim 5) and withdrawn claims 26-33 (which depend directly or indirectly on claim 24).

As MPEP § 806.04(d) states "Once a generic claim is allowable, all of the claims drawn to species in addition to the elected species which require all the limitations of the generic claim will ordinarily be allowable over the prior art in view of the allowability of the generic claim, since the additional species will depend thereon or otherwise require all of the limitations thereof." (Emphasis ours). MPEP § 821.04(a) further states that "Where restriction was required ... and all claims directed to an elected invention are allowable, any restriction requirement between the elected invention and any nonelected invention that depends from or otherwise requires all the limitations of an allowable claim should be withdrawn.... Claims that require all the limitations of an allowable claim will be rejoined and fully examined for patentability...." (Emphasis ours).

Therefore, it is believed that withdrawn claims 6-21 and 26-33 should be rejoined in the present application, and allowed.

II. Amendments to the Figures and Specification

In the Office Action, the Examiner objected to the drawings (Figures 7 and 11) and further requested the applicants to check the specification for errors. Replacement sheets having changes to Figures 7 and 11 are included with this amendment. Furthermore, the specification is amended as shown. Accordingly, it is believed that the Examiner's objections have now all been properly addressed.

III. Discussion of the Claims

In the Office Action, the Examiner objected to claims 3-4 as being dependent upon a rejected base claim, but indicated that these claims would be allowable if rewritten in independent form. The applicants thank the Examiner for this indication of allowable subject matter.

Accordingly, dependent claim 3 has been rewritten in independent form to include the recitations of its base claims 1-2, with claims 1-2 now canceled without prejudice. Dependent claim 5 has been amended to change its dependency to newly independent claim 3. Thus, claims 3-5 are now allowable.

Independent claim 24 is amended to include allowable recitations found in claim 3, and is thus now allowable as well. Independent claim 34 is also amended to include allowable recitations found in claim 3, and is also now allowable.

The various claims that depend directly or indirectly on these allowable independent claims 3, 24, and 34 are amended as shown to provide proper antecedent basis or to otherwise place these claims in better form. Claims 30 and 31 are amended to clarify that these claims do not fall within the scope of 35 U.S.C. § 112, sixth paragraph.

New independent claim 40 recites allowable subject matter from claims 3 and 4, and is allowable. New dependent claims 39 and 41 recite subject matter supported by the original disclosure, and are also allowable. No fee is required for submission of these new claims, since some claims are being canceled herewith.

IV. Conclusion

Overall, none of the references singly or in any motivated combination disclose, teach, or suggest what is recited in the independent claims. Thus, given the above amendments and accompanying remarks, the independent claims are now in condition for allowance. The dependent claims that depend directly or indirectly on these independent claims are likewise allowable based on at least the same reasons and based on the recitations contained in each dependent claim.

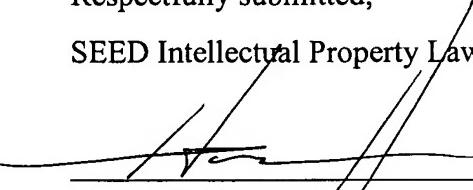
If the undersigned attorney has overlooked a teaching in any of the cited references that is relevant to the allowability of the claims, the Examiner is requested to specifically point out where such teaching may be found. Further, if there are any informalities or questions that can be addressed via telephone, the Examiner is encouraged to contact the undersigned attorney at (206) 622-4900.

The Director is authorized to charge any additional fees due by way of this Amendment, or credit any overpayment, to our Deposit Account No. 19-1090.

All of the claims remaining in the application are now clearly allowable. Favorable consideration and a Notice of Allowance are earnestly solicited.

Respectfully submitted,

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DMD:wt

Enclosures:

Postcard

6 Sheets of Replacement Drawings (Figures 1-11)

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